

1 Susan E. Coleman (SBN 171832)
2 E-mail: scoleman@bwslaw.com
Carmen M. Aguado (SBN 291941)
3 E-mail: caguado@bwslaw.com
BURKE, WILLIAMS & SORENSEN, LLP
4 444 South Flower Street, Suite 2400
Los Angeles, CA 90071-2953
Tel: 213.236.0600 Fax: 213.236.2700
5
6 Attorneys for Defendant
JOSE HUIZAR
7

FILING FEE EXEMPT PURSUANT TO
GOVERNMENT CODE § 6103

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

10
11 PAULINE MEDINA,
12 Plaintiff,
13 v.
14 JOSE HUIZAR, an individual; CITY OF
LOS ANGELES, a municipality; and DOES
15 1-10, inclusive,
16 Defendants.
17
18

Case No. 18STCV03011

[Assigned for All Purposes to:
Hon. Ruth Ann Kwan, Dept. 72]

**DECLARATION OF CARMEN M. AGUADO
IN SUPPORT OF DEFENDANT LOS
ANGELES CITY COUNCILMAN JOSE
HUIZAR'S *EX PARTE* APPLICATION FOR
AN ORDER TO SPECIALLY SET A
HEARING ON DEFENDANT'S MOTION TO
SEAL RECORDS**

*[Filed concurrently with [Proposed] Order and Ex
Parte Application]*

Date: April 12, 2019
Time: 8:30 a.m.
Dept.: 17

Action Filed: October 31, 2018
Trial Date: March 30, 2020

23
24
25
26
27
28
LA #4830-2312-8724 v1

DECLARATION OF CARMEN M. AGUADO IN SUPPORT OF
DEFENDANT JOSE HUIZAR'S *EX PARTE* APPLICATION

DECLARATION OF CARMEN M. AGUADO

I, CARMEN M. AGUADO, hereby declare and state as follows:

1. I am a member in good standing with the State Bar of California and an associate at the law firm of Burke, Williams & Sorensen, LLP, attorneys for Defendant JOSE HUIZAR (“Defendant Huizar”) in this action. I have personal knowledge of the facts set forth below, and, if called as a witness in this matter, I could and testify competently thereto under oath.

2. The U.S. Attorney's Office and FBI are currently conducting an investigation that includes Defendant Huizar. The criminal investigation, as well as this civil litigation, has received a significant amount of media coverage and exposure.

3. Defendant Huizar intends to serve a motion to stay this matter on May 24, 2019, and the hearing on the motion to stay is set for June 20, 2019.

4. However, Defendant Huizar seeks to file the motion to stay under seal in order to protect his privacy and constitutional rights, as well as the integrity of the criminal investigation, which is implicated by virtue of the public nature of court filings in this matter. Additionally, Defendant Huizar intends to rely on information pertaining to the criminal investigation that is not public in support of his motion to stay.

5. The earliest date for a hearing on Defendant Huizar's anticipated motion to seal is June 20, 2019 –*after* Defendant Huizar is statutorily required to serve his motion to stay. The reservation ID for Defendant Huizar's motion to seal is 906452610469.

6. **NOTICE PROVISION.** Pursuant to Rules of Court, Rules 3.1203 and 3.1204, on April 11, 2019, via e-mail communication, I provided notice that stated with specificity the nature of the relief to be requested through this Application and the date, time, and place for the presentation of the application to counsel for Plaintiff Mayra Alvarez (“Plaintiff”), Terrence Jones, and counsel for Defendant City of Los Angeles, Dennis Kong and Kelly Welch. Plaintiff is represented by Terrence Jones, The Law Office of Terrence Jones, 6737 Bright Avenue, Suite B6, Whittier, California 90601, Tel.: 213-863-4490, Email: terrence@jonesonlaw.com. Defendant City of Los Angeles is represented by Dennis Kong and Kelly Welch, Los Angeles City Attorney’s Office, 200 North Main Street, 7th Floor, Los Angeles, CA 90012, Tel.: 213-978-1822, Fax: 213-872-8724, Email: kongd@co.la.ca.us.

1 8200, Email: dennis.kong@lacity.org.

2 7. At the time of filing this Application, I have not received notification from counsel
3 for Plaintiff or Defendant City of Los Angeles as to whether they intend to oppose the
4 Application.

5 I declare under penalty of perjury pursuant to the laws of the State of California that the
6 foregoing is true and correct.

7 Executed April 11, 2019, at Los Angeles, California.

8 
9

10 CARMEN M. AGUADO, Declarant
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

I, Susan Vasquez, declare:

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 444 South Flower Street, Suite 2400, Los Angeles, California 90071-2953. On April 11, 2019, I served a copy of the within document(s):

DECLARATION OF CARMEN M. AGUADO IN SUPPORT OF DEFENDANT LOS ANGELES CITY COUNCILMAN JOSE HUIZAR'S *EX PARTE* APPLICATION FOR AN ORDER TO SPECIALLY SET A HEARING ON DEFENDANT'S MOTION TO SEAL RECORDS

- by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, the United States mail at Los Angeles, California addressed as set forth below.
- by placing the document(s) listed above in a sealed _____ envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a _____ agent for delivery.
- by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- by transmitting via my electronic service address (svasquez@bwslaw.com) the document(s) listed above to the person(s) at the e-mail address(es) set forth below.

(Service List attached)

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on April 11, 2019, at Los Angeles, California.

Sam May

Susan Vasquez

SERVICE LIST
Medina v. Huizar, et al.
18STCV03011

Terrence Jones
The Law Office of Terrence Jones
6737 Bright Avenue, Suite B6
Whittier, CA 90601
Phone: (213) 863-4490
Email: Terrence@JonesOnLaw.com

Attorney for Plaintiff

Dennis, Kong, Esq.
Kelly Welch, Esq.
Los Angeles City Attorney's Office
200 North Main Street, 7th Floor
Los Angeles, CA 90012
Phone: (213) 978-8200
Email: dennis.kong@lacity.org
kelly.welch@lacity.org

Attorney for Defendant City of Los Angeles